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OFFICE OF PETITIONS

In re Application of :
Ted J. Brackett and C. Martin Smith :
Application No. 731,364 :DECISION ON PETITION
Filed: December 9, 2003 :UNDER 37 CFR 1.182
Attorney Docket No. 01-11429 :

This is in response to the communication, filed December 20, 2005, which is being treated as a petition under 37 CFR 1.182, to change the order of inventorship in the above-identified application.

The petition is GRANTED.

Office records have been corrected to reflect the desired order of inventorship. A corrected Filing Receipt which sets forth the desired order of inventorship accompanies this decision on petition.

While the declaration now indicates that the above inventors are joint inventors, the substitute declaration submitted still does not list the inventors on one sheet, which would clearly indicate the order of inventorship. While the Office will be instructed to list the order of the names in the desired order, the printing of the patent may still reflect the original order. In such case, petitioner may request a certificate of correction. Petitioner may wish to consider filing an Application Data Sheet which sets forth the desired order of inventorship.

Any inquiries concerning this decision on petition may be directed to the undersigned at (571) 272-3218.

In view of the withdrawal of this application from issue, a new Notice of Allowance and Fee(s) Due will now have to be mailed. Accordingly, this application is being referred to Technology Center AU 1744 for remailing of a new Notice of Allowance.¹



Frances Hicks
Petitions Examiner
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B - Fee(s) Transmittal Form (along with any balance due at the time of submission), which includes the following language thereon: "The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee in the application identified above. Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85)."



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/731,364	12/09/2003	1744	885	02-11429	6	34	2

25189
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CONFIRMATION NO. 4390

CORRECTED FILING RECEIPT



OC000000018247757

Date Mailed: 03/09/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

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C. Martin Smith, Los Angeles, CA;

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Domestic Priority data as claimed by applicant

This application is a CIP of 10/002,365 11/01/2001 PAT 6,666,925
which claims benefit of 60/245,078 11/01/2000

Foreign Applications

If Required, Foreign Filing License Granted: 03/29/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/731,364**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

PAINT BRUSH AND MAKEUP BRUSH CLEANING DEVICE

Preliminary Class

015

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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